

REMARKS

In the last Office Action, the Examiner objected to claims 34-63, rejected claims 34, 35, 38-45, 47-50, 52-55, and 58-63 under 35 U.S.C. § 102(e) as being anticipated by Hakozaiki (U.S. Patent No. 6,234,845), rejected claims 36, 37, 46, 56, and 57 under 35 U.S.C. § 103(a) as being unpatentable over Hakozaiki in view of Horie (U.S. Patent No. 6,231,360). By this Amendment After Final, Applicants propose to amend claims 34, 51, and 54. Applicants respectfully request the entry of this Amendment, as well as the reconsideration and allowance of pending claims 34-63.

Amendments to the Claims

By this amendment, Applicants propose to amend claims 34, 51, and 54.

Applicants propose to amend claims 34 and 54 recite “a base plate adjacent to the side leg portions” and “a second space defined by the second side walls ... the second space being between the first space and the base plate.” Support for these recitations exists, for example, at page 15, lines 3-10 of the specification and in Figures 1 and 9.

Applicants also propose to amend claims 34 and 54 to address the objections set forth in the Final Office Action.

Applicants propose to amend claim 51 to depend from claim 50. Applicants respectfully request consideration of claim 51 in its amended form.

Objections to the Claims

Applicants propose to amend the claims to address the objections set forth in the Final Office Action. The preambles of claims 34 and 54 now include a “second card body portion having a size substantially the same as a size of the upper body portion of

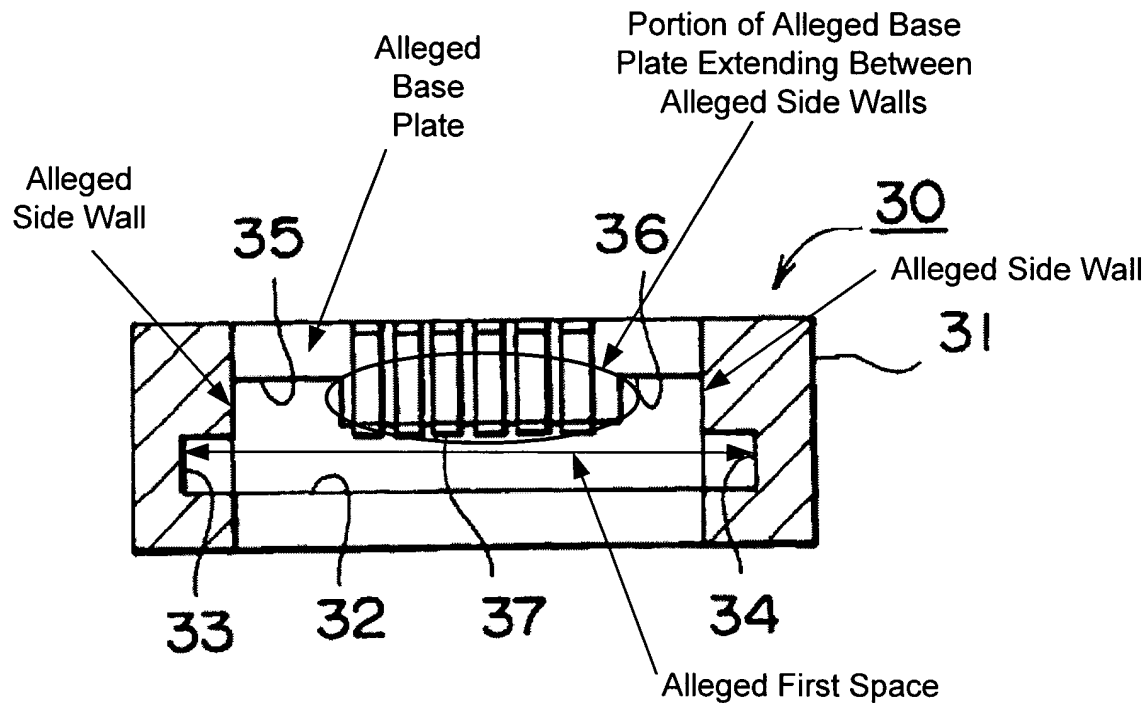
the first card.” Moreover, the claims require “a base plate adjacent to the side leg portions.” The claims no longer include the term “step-like.”

Finally, proposed amended claim 51 depends from claim 50. Consequently, Applicants respectfully request that the Examiner withdraw the objection to the claims.

Claims 34-63 are allowable over the applied references

Proposed amended claims 34 and 54 each recite a “second space defined by the second side walls ... the second space being between the first space and the base plate” wherein “no portion of the base plate extends into the second space.” Thus, the claims require that the second space (1) be defined by the second side walls, (2) be located between the base plate and the first space, and (3) include no portion of the base plate. In particular, Applicants note that the claimed second space must be both defined by the second side walls and located between the base plate and the first space. The applied references fail to disclose such a second space.

In the Final Office Action, the Examiner points out that Figure 1 of Hakozaiki discloses a space defined by the second side walls. The space on which the Examiner relies, however, is not “between the first space and the base plate,” as required by proposed amended claims 34 and 54.



Hakozaki Figure 2 (Annotated)

As illustrated in Figure 2 of Hakozaki, a portion of the alleged base plate (seen at the top of the figure) extends downward between the alleged second sidewalls. This portion of the alleged base plate, which holds contact pin array 37, rests directly between the alleged sidewalls. Accordingly, in Hakozaki, a portion of the base plate extends into any space “defined by the second side walls” that is also located “between the base plate and the first space.”

The two grooves 35 and 36 described in Hakozaki do not suggest the second space claimed in independent claims 34 and 54 of this application, which allows for the accommodation of cards having different sizes. Instead, grooves 35 and 36 of Hakozaki are intended to prevent erroneous insertion of IC Card 1A. (See Hakozaki at Col. 5, l. 36-43; Col. 6, l. 17-31.) Accordingly, grooves 35 and 36 neither teach nor suggest a “second space defined by the second side walls ... the second space being

between the first space and the base plate” wherein “no portion of the base plate extends into the second space.”

Horie does not teach or suggest the claimed second space and base plate, and the Examiner does not rely on Horie for such teachings. Horie, consequently, fails to overcome the above-noted deficiencies of Hakoziaki.

Because the Hakoziaki and Horie, taken alone or together, do not teach or suggest all elements of claims 34 and 54, the claims are allowable over the applied references. Claims 35-33 and 55-63 are allowable at least due to their respective dependence from claims 34 and 54.

Conclusion

Applicants respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 34-63 in condition for allowance. Applicants submit that the proposed amendments of claims 34, 51, and 54 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants’ invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

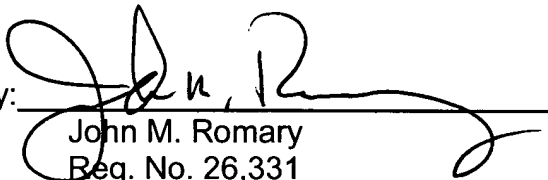
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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By: _____


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